

EXHIBIT 6

In The Matter Of:

*CHAE BROTHERS, LIMITED LIABILITY COMPANY, ET AL. v.
MAYOR AND CITY COUNCIL OF BALTIMORE, ET AL.*

DEAN PALMERE

December 17, 2020

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

CHAE BROTHERS LIMITED)	
LIABILITY COMPANY, et al.,)	
)	
Plaintiffs,)	
)	Civil Action
v.)	No.
)	1:17-cv-01657-
)	SAG
MAYOR & CITY COUNCIL OF)	
BALTIMORE, et al.,)	
)	
)	
Defendants.)	

Deposition of DEAN PALMERE taken via
remote videoconferencing of all participants,
beginning at 1:04 p.m. on December 17, 2020,
before Eleanor J. Schwandt, Registered Merit
Reporter and Notary Public.

1 to coordinate other resources and things of
2 that nature.

3 Q. When you say "coordinate other
4 resources" to what resources are you
5 referring?

6 A. The other law enforcement agencies,
7 their response. I know we had -- we were
8 doing procurement for things like pads and
9 stuff for the officers to wear, and
10 basically coordinating schedules and that
11 kind of, those kind of responsibilities.

12 Q. In addition to trying to procure
13 equipment, were you also responsible for
14 trying to secure mutual aid?

15 A. Yes, sir.

16 Q. By mutual aid do you understand I
17 mean physical bodies, officers?

18 A. Yes, sir.

19 Q. And during what time period were
20 you taking charge of requesting and/or
21 coordinating for mutual aid from other
22 jurisdictions?

23 A. I don't recall the specific date,
24 but it was prior to the 25th.

25 Q. Okay. Was unified command

1 established during the Baltimore riots?

2 A. I don't specifically recall who was
3 in the Incident Command System at the time.
4 But we, if I recall correctly, we did have
5 some other City agencies in the Incident
6 Command System.

7 Q. Okay. Let me ask you this: During
8 the Baltimore riots who served or which
9 agency served as the lead agency?

10 A. The police.

11 Q. The Baltimore City police
12 department?

13 A. Yes, sir.

14 Q. Now, I would like to go kind of
15 back to the beginning, and specifically
16 back to the arrest of Freddie Gray. When
17 do you first recall hearing about the
18 circumstances of Freddie Gray's arrest,
19 which was on April 12th, 2015?

20 A. I don't recall a specific date.

21 Q. Do you recall hearing about the
22 circumstances of his arrest prior to or
23 after his death?

24 A. Prior to.

25 Q. Approximately how many days prior

1 A. Yes, sir.

2 Q. Did the department change how it
3 was approaching protests as a result of
4 that concern that things would become more
5 disruptive? Did it make additional plans?

6 A. Yes, I believe that was during the
7 time where we -- again, I would have to
8 look at timelines specifically, but there
9 was a point where we had called for mutual
10 aid, and I don't know if that was before or
11 after Freddie Gray's death. But, again, we
12 had asked for additional resources from
13 other jurisdictions.

14 We didn't get a whole lot of
15 resources from those jurisdictions at
16 first, until things started I guess getting
17 out of control, then other resources became
18 available.

19 Q. When you say "things got out of
20 control," to when are you referring?

21 A. The first day I guess where the
22 rioting started.

23 Q. Are you referring to April 25th?

24 A. Yes, sir.

25 Q. Or 27th?

1 A. 25th.

2 Q. 25th, the Saturday?

3 A. Yes, sir.

4 Q. While we are talking about
5 resources, if I could direct your attention
6 to Exhibit 13, a document produced by the
7 City, Bates stamped CITY 00005798.

8 A. Yes, sir.

9 Q. Do you know what Exhibit 13 is?
10 I'll let you look through it.

11 A. State Law Enforcement Coordinating
12 Council Request.

13 Q. Are you familiar with these
14 requests?

15 A. I believe this is, it is called a
16 SLECC request, where the commissioner gives
17 authority for other agencies to operate
18 within the City limits.

19 Q. Okay. Now, this is dated April
20 20th, one day after Freddie Gray's death,
21 correct?

22 A. Yes, sir.

23 Q. Now, if you look at the first
24 sentence in the body of Exhibit 13, it says
25 that the Department will prepare to conduct

1 21812. These were produced by the City and
2 they appear to be transcriptions of radio
3 communications on channel A1 and A10
4 respectively.

5 A. Okay.

6 Q. On April 25th, from 12:00 p.m.
7 through 11:59 p.m. Now, if I could refer
8 you to Exhibit 38 for channel A1, at 1459,
9 which I assume is 2:59 p.m.?

10 A. Yes, sir.

11 Q. City Watch advises that crowds are
12 moving towards North Avenue and that all
13 marked vehicles are to avoid that area. Do
14 you see that?

15 A. Yes, sir.

16 Q. When it says City Watch, what is
17 City Watch referring to?

18 A. City Watch is a camera system,
19 closed-circuit camera guys that monitor the
20 cameras throughout the City.

21 Q. Would City Watch be saying this or
22 advising from command, from incident
23 command?

24 A. I'm sorry?

25 Q. When it says City Watch advises

1 here, where were they physically? Were
2 they in incident command or were they in a
3 different location?

4 A. City Watch does have an off-site
5 location that they work out of. I'm sure
6 there was a representative from City Watch
7 in incident command at the time.

8 Q. Okay. So at 2:59 p.m. do you know
9 why all marked vehicles were ordered to
10 avoid that area?

11 A. I don't know, sir.

12 Q. At 1511 or 3:11 p.m., KGA is
13 advised, per unified command, that
14 demonstrators are moving southbound on
15 North Avenue, and all units are advised
16 "Don't engage, follow, stay on post, don't
17 show any police presence and stay away from
18 North Avenue," do you see that?

19 A. Yes, sir.

20 Q. KGA is dispatch, correct?

21 A. Yes, sir.

22 Q. Now, why was unified command
23 ordering units not to engage or not to show
24 any police presence and to stay away from
25 North Avenue?

1 A. No, sir.

2 Q. If you look at [Exhibit 53](#).

3 A. Yes, sir.

4 Q. Does that accurately reflect the
5 number of officers from outside
6 jurisdictions by way of mutual aid that
7 were available for April 27th, 2015?

8 A. Yes, sir.

9 Q. Now, in addition to what is in
10 Exhibits 51 through 54, if you go look at
11 [Exhibit 55](#), which is an e-mail produced by
12 the City, CITY 00011631, and you also
13 received that e-mail as well, right?

14 A. Yes, sir.

15 Q. Okay. There were also rumors of a
16 purge, do you see that?

17 A. Yes, sir.

18 Q. How seriously was the Baltimore
19 City Police Department taking the rumor of
20 a purge?

21 A. If I recall correctly, we were
22 taking it serious.

23 Q. Okay. And even prior to this rumor
24 of a purge, I mean, [Exhibit 54](#) describes it
25 as an all-hands-on-deck day; would you

1 happened that day, like where you were when
2 things erupted at Mondawmin and what
3 happened?

4 A. On the 27th?

5 Q. Yes.

6 A. I recall at some point being at
7 headquarters with Kevin Davis. And I
8 believe Hank, it was Hank Stawinski from PG
9 County, and I forget the name of the
10 person, I believe they were from Montgomery
11 County, and at some point we had left
12 headquarters when Mondawmin -- when I guess
13 the officers started getting hit with rocks
14 and bottles.

15 We drove up to the area where
16 Commissioner Kevin Davis had gotten into
17 our helicopter at the time and went up in
18 the helicopter, and several, the rest of us
19 stayed on the ground to assist with getting
20 resources to that location. And Davis
21 would be calling out if he saw individuals
22 flanking the platoons that were deployed at
23 the time through alleyways and such.

24 Q. Okay. Do you recall officers being
25 ordered to deploy to Mondawmin before the

1 violence actually erupted?

2 A. There were officers deployed there,
3 yes.

4 Q. Do you know why there were officers
5 deployed there?

6 A. I believe that they were regarding
7 preparedness for the potential purge.

8 Q. So the deployment to Mondawmin
9 before the violence was in direct and
10 specific response to the purge rumor?

11 A. If I recall, yes.

12 Q. And as things progressed, they
13 extended beyond Mondawmin, correct?

14 A. Yes.

15 Q. And at that time did you remain at
16 command?

17 A. I was, at that point I believe I
18 was in the field.

19 Q. Do you recall where you were in the
20 field, as you recall like where you were
21 and what you saw, what had happened?

22 A. I'm sorry?

23 Q. If you could walk me through what
24 you recall as far as where you were as the
25 day progressed and what you remember seeing

1 and this was on April 27th at 6:05 p.m., it
2 says: "1340 sworn BPD, 80 outside
3 jurisdictions, 700 vehicles," is that
4 accurate?

5 A. It seems, sounds to be, yes.

6 Q. Okay. And at that point is it
7 accurate that the Baltimore City Police
8 Department requested 600 additional
9 officers with riot gear?

10 A. I don't recall that.

11 Q. Okay. The rioting stopped in the
12 early morning hours of April 28th, correct?

13 A. I believe so, yes.

14 Q. Did any rioting happen after that?

15 A. There were -- I don't recall. I
16 know there were some tense moments, the
17 protests continued, where there were some
18 tense moments at times. And I don't recall
19 in the timeline when an incident occurred
20 in front of the Western District, where
21 they were throwing trash cans at officers
22 in front of the Western District, I don't
23 know if that was before or after the 27th.

24 Q. Okay. But as far as what you
25 remember seeing on April 25th and April

1 27th, and by April 27th I mean going into
2 the morning of April 28th --

3 A. Right.

4 Q. -- after that, things like that
5 didn't happen again, correct?

6 A. From what I recall, no.

7 Q. If I could direct your attention to
8 Exhibit 70. Before we get there, actually,
9 did the Baltimore City Police Department
10 have enough riot gear --

11 A. No.

12 Q. -- to meet its needs?

13 A. No.

14 Q. What discussions were there within
15 the department regarding the need for more
16 riot gear?

17 A. Emergency procurement. We were
18 trying to get equipment overnighted in from
19 different vendors. And we were having,
20 from what I recall, they were having
21 trouble getting it based on the need
22 nationally for that type of equipment.

23 Q. Okay. Were there any discussions
24 prior to that day, though, April 27th?

25 A. I don't recall specific timeframe.